

REMARKS

By the present amendment, minor editorial revisions have been made throughout the specification. The claims have not been amended. In this respect, while applicants sincerely appreciate the indication of the allowability of claims 3-5 and 8-11, applicants respectfully submit that all of the claims in their current form are patentable over the art of record for the reasons which follow.

As discussed in greater detail in the specification, the aspect of the invention defined in claim 1 relates to a heat mode-compatible positive-type image-forming material comprising (a) a water-insoluble, aqueous alkaline solution-soluble polymer compound, (b) a light-heat converting agent and (c) a phenol including a partial structure represented by the fine formula (I). As further discussed and illustrated in the specification, the claimed material with the defined phenol can obtain improved developmental attitude and scratch resistance relative to similar materials which either do not have the defined phenol or which have a phenol compound which is outside that defined in the claims (see Comparative Examples 1-3 on pages 113-114 and the results set forth in Table 6 on page 118 of the specification).

Published European Patent Application No. 949539 relates to a photosensitive resin composition containing a high molecular compound having at least (a) a fluoro-aliphatic group and (b) a group represented by formula -L-P wherein L represents a divalent organic group connected to the skeleton of the high molecular compound and P represents an aromatic group having a carboxyl group at the ortho-position. The disclosed high molecular compound can be included in a negative-type lithographic printing plate (see the

description provided in section [0038] or a positive-type photosensitive composition (see section [0047]). A negative-type photopolymerizable printing plate is discussed on pages 27-29 (sections [0130] to [0158]). It is in the context of a negative-type polymerizable printing plate that the cited European publication describes the presence of a thermal polymerization preventing agent such as the compounds identified in [0149]. The thermal polymerization preventing agent is added to prevent unnecessary thermal polymerization of the polymerizable ethylenically unsaturated compound in the negative-type photopolymerizable printing plate. Significantly, there is no disclosure in the cited document that a thermal polymerization preventing agent should be contained in a positive-type photosensitive resin composition. In this respect, from the discussion provided above with respect to the present invention, those of ordinary skill in the art will recognize that the phenol of the present invention functions in an entirely different manner than the thermal polymerization preventing agent disclosed in the cited European publication. Therefore, even assuming that one of ordinary skill in the art would use a thermal polymerization preventing agent and particularly one falling within the definition set forth in the claims of record, such use would be in the context of a negative-type plate which is distinct from the present invention which in all instances relates to a positive-type image-forming material. Moreover, it would not be obvious to add a thermal polymerization preventing agent to a positive-type material since the polymerizable ethylenically unsaturated compound which the thermal polymerization preventing agent is designed to protect in a negative-type plate is not of significance in a positive-type material. It therefore follows that all the presently claimed aspects of the present invention are

patentable over the cited document and applicants accordingly request reconsideration and allowance of the present application.

As a final matter, applicants further appreciate the Examiner's consideration and acknowledgment of the information provided in the Information Disclosure Statement filed on February 19, 2003. However, applicants note that an earlier Information Disclosure Statement was submitted on April 24, 2002, and applicants respectfully request that the single document provided therein be acknowledged by returning an Examiner-initialed copy of the citation form with the next Official Action.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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